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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,023	11/12/2003	Keiichi Sakano	MAT-8483US	6208
23122	7590	01/02/2008	EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/706,023	SAKANO, KEIICHI	
Examiner	Art Unit		
Mitiku Debelie	2621		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 12 November 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213:

## **Disposition of Claims**

4)  Claim(s) 1 - 19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1 - 19 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 12 November 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/12/2003.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_ .

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 11/12/2003 has been considered by the examiner.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4 – 5 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue (US Patent Number 6,628,889).

**Regarding claim 1**, Inoue discloses an editing apparatus (Fig. 1) comprising:

a material storage (disc unit 1700, Fig. 29) for storing a material (video data) (see col. 19, lines 49 - 53);

a material capture unit (entire system control 1300, editing device 14, Fig. 29) for taking in a material (video data) from first external media (digital video cassette 12, Fig. 1) to said material storage (disc unit 1700, Fig. 29) (see col. 19, lines 46 - 54);

a material output unit (1300, 14) for sending the material (video data) stored in said material storage (1700) to second external media (master tape cassette 2200, Fig. 1) (see col. 22, lines 34 – 50, editing of the data from (1700) is carried out prior to recording the data on the external recording section which is part of the editing device 14, see col. 19, line 43 – col. 22, line 33);

and a material information management unit (1300, operating section 1100, Fig. 29) for managing external media information including the information of at least one of ( see col. 15, lines 18 - 21).

material area information showing storing position of the material (video) in said material storage (1700) (see col. 19, lines 66 – 67 – col. 20, lines 1 - 2), wherein said material information management unit (1300, 1100) has an external media information store region (extra storage unit 1309, Fig. 30) for storing the external media information (see col. 15, lines 42 – 67 – col. 16, lines 1 – 6, with special emphasis on lines 5 - 6).

**Regarding claim 4**, Inoue teaches an editing apparatus wherein the first external media is a magnetic tape (12); and

wherein the second external media is at least one of magnetic tape (master tape cassette 2200).

**Regarding claim 5**, Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (see col. 10, line 1); and

wherein the external media information includes at least one of reel number (R1, R2, Fig. 6) and time code (hour, minute, second, Fig. 8) of the magnetic tape when the

first external media (digital video cassette 12, Fig. 1) is magnetic tape or the second external media is magnetic tape (master tape cassette 2200, Fig. 1) (see col. 9, lines 4 - 7 and 29 - 34).

**Regarding claim 9**, Inoue does not teach an editing apparatus wherein the external media information further includes at least one of media identification information for identifying the first external media and media identification information for identifying the second external media. However it is inherent characteristic of the editing device of Inoue to identify external media that the editing apparatus uses.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 - 3 and 10 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Patent Number 6,628,889) as applied to claims 1, 4 – 5 and 9 above, and further in view of well known prior art (MPEP 2144.03).

**Regarding claim 2**, Inoue teaches an editing apparatus including external media information store region (extra storage unit 1309, Fig. 30) for storing the information of the original media from which the material is taken (see col. 16, lines 19 - 22). However,

Inoue does not teach the external media information store region (1309) including another original external media information store region for storing the information of the original media (12) from which the material is taken. The Examiner takes official notice that it is old and well known in the art to create a secondary storage for storing content that has already been stored.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate including an original external media in the external media which includes another external original media in order to keep a backup of the original external media information as data gets edited.

**Regarding claim 3,** Inoue teaches an editing apparatus wherein said material information management unit (1300, 1100) stores the external media information of the first external media (12) in external media storage region (1309) when said material capture unit (1300, 14) captures the material from the first external media (12) (see col. 16, lines 19 – 22); and

wherein the material information management unit (1300, 1100) stores the second external information (edited video content, see col. 21, line 50 - col. 22 line 34) different from the first external media (1700) into the external media information store region (external recording medium 1309, Fig. 1) when said material output unit (1300,14) sends out the material (video data) stored in the material storage (1700) into the second external media (2200) (see Fig. 30, col. 15, lines 42 – 67 – col. 16, lines 1 – 6, with special emphasis on lines 5 – 6 of col. 16, col. ~~et~~ 21, lines 50 – 67 – col. 22, lines 1 – 50, with special emphasis on lines 12 – 30 of col. 22).

Inoue does not teach an editing device wherein an information management unit includes an original external media information store region which is separate from the external media information store region (1309). The Examiner also takes official notice that it is old and well known in the art to add a second external information store region which is different from the first external media information store region.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a material information management unit including one additional original external media information store region in order to keep a backup copy of the original external media information as the data gets edited.

**Regarding claim 10**, grounds for rejecting claim 4 apply for claim 10 in its entirety.

**Regarding claim 11**, grounds for rejecting claim 4 apply for claim 11 in its entirety.

**Regarding claim 12**, grounds for rejecting claim 5 apply for claim 12 in its entirety.

**Regarding claim 13**, grounds for rejecting claim 5 apply for claim 13 in its entirety.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Patent Number 6,628,889) as applied to claims 1, 4 – 5 and 9 above, and further in view of Flannagan et al. (US Patent Number 5,119,291).

**Regarding claim 6**, Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (see col. 10, line 1) .Inoue does not teach an editing apparatus wherein the external media information includes at least one of volume label, sector position and file path of the optical disk when the first external media is optical disk or the second external media is optical disk. Flannagan, from the same field of endeavor, teaches an external media information including volume label and sector position when the recording medium is optical disk (optical disk 20) (see Fig. 2, col. 5, lines 22 – 23, col. 7, lines 8 – 18 and col. 28, lines 4 - 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate external media information that includes volume label and sector position of the optical disk when the first external media is optical disk or the second external media is optical disk in order to identify contents and their address for search and reproduction purposes.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Patent Number 6,628,889) as applied to claims 1, 4 – 5 and 9 above, and further in view of Purcell et al. (US Patent Number 7,275,126).

**Regarding claim 7**, Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (see col. 10, line 1) .Inoue does not teach an editing apparatus wherein the external media information includes at least one of

information of memory bank, memory address and file path of the semiconductor memory when the first external media is semiconductor memory or the second external media is semiconductor memory. Purcell, from the same field of endeavor, teaches an external media wherein the external media information includes memory bank (memory bank 1408) when the medium is semiconductor memory (see col. 19, lines 50 – 54).

Therefor it would have been obvious to one of ordinary skill at the time of the invention to incorporate a memory bank as external media information when the external media is a semiconductor in order to identify memory locations when accessing.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Patent Number 6,628,889) as applied to claims 1, 4 – 5 and 9 above, and further in view of Chong Jr. et al. (US Patent Number 7,130,973).

**Regarding claim 8,** Inoue teaches an editing apparatus wherein the material includes at least one of video and audio (see col. 10, line 1) .Inoue does not teach an editing apparatus wherein the external media information includes ID information, logic address and file path of the network appliance when the first external media is network appliance or the second external media is network appliance. Chong, from the same field of endeavor, teaches an external media information including logic address when the medium is network appliance (remote storage device) (see col. 3, lines 37 – 44 and col. 6, lines 2 – 8).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate logic address as external media information when the external media is network appliance in order enable locating and retrieving of data.

10. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Patent Number 6,628,889) as applied to claims 1, 4 – 5 and 9 above, in view of Flannagan et al. (US Patent Number 5,119,291) and further in view of a well known prior art (MPEP 2144.03).

**Regarding claim 14**, grounds for rejecting claim 6 apply for claim 14 in its entirety.

**Regarding claim 15**, grounds for rejecting claim 6 apply for claim 15 in its entirety.

11. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Patent Number 6,628,889) as applied to claims 1, 4 – 5 and 9 above, in view of Purcell et al. (US Patent Number 7,275,126) and further in view of a well known prior art (MPEP 2144.03).

**Regarding claim 16**, grounds for rejecting claim 7 apply for claim 16 in its entirety.

**Regarding claim 17, grounds for rejecting claim 7 apply for claim 17 in its entirety.**

12. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US Patent Number 6,628,889) as applied to claims 1, 4 – 5 and 9 above, in view of Chong Jr. et al. (US Patent Number 7,130,973) and further in view of a well known prior art (MPEP 2144.03).

**Regarding claim 18, grounds for rejecting claim 8 apply for claim 18 in its entirety.**

**Regarding claim 19, grounds for rejecting claim 8 apply for claim 19 in its entirety.**

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitiku Debelie whose telephone number is (571) 270 1706. The examiner can normally be reached on Mon - Fri 8:00 - 5:00 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272 7905. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Marsha D. Banks-Harold*

MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

MD  
12/17/07